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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,308	09/30/2003	David D. Brandt	01AB167/YOD ALBR:0110	5343
7590 07/01/2005			EXAMINER	
Alexander M. Gerasimow Allen-Bradley Company, LLC 1201 South Second Street Milwaukee, WI 53204-2496			HYEON, HAE M	
			ART UNIT	PAPER NUMBER
			2839	
DATE MAILED: 07/01/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/675,308

Applicant(s)

BRANDT ET AL.

Examiner

Hae M. Hyeon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5, 16-21, 29-35, 46-49, 54-58 and 63-65 is/are pending in the application.  
4a) Of the above claim(s) 4-15, 22-28, 36-45, 50-53, 59-62 and 66-73 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-5, 16-21, 29-35, 46-49, 54-58 and 63-65 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election with traverse of species Figures 1 and 2 in the reply filed on April 25, 2005 is acknowledged. The traversal is on the ground(s) that the invention relates to an electrical component that is transitionable between a fully operating position, a service position, and a network communications position. This is not found persuasive because while the three positions of the electrical component do not change, many different connector assembly species are used to accomplish the three positions of the electrical component.

The requirement is still deemed proper and is therefore made FINAL.

### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 16-21, 29-33, 46-49, 54-58, 63 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fabian et al (US 5,915,985) in view of Heberlein, Jr. et al (US Patent Application Publication No. 2003/0051175 A1).

Fabian discloses an electrical component system comprising an enclosure 10, main power conductors 20 disposed in the enclosure 10, secondary power conductors 24 disposed in the enclosure 10, a component assembly 14 including a component support and at least one component mounted on the support, a main power connector 22 disposed on the support and adapted to connect with the main power conductors 20, a connector assembly 32 disposed on the support and adapted to connect with the second conductors 24. Fabian teaches that the component assembly 14 includes *circuit breakers*. Fabian also teaches that the component assembly 14 has three positions. A first position is known as the disconnect position, wherein the main power connector 22 and the connector assembly 32 of the component assembly 14 is disconnected with the main power conductors 20 and the secondary power conductors 24. A second position (service position) is known as the testing position, wherein the main power connector 22 of the component assembly 14 is disconnected with the main power conductors 20 while the connector assembly 32 of the component assembly 14 is connected with the secondary power conductors 24. A third position is known as the connect position, wherein the main power connector 22 and the connector assembly 32 of the component assembly 14 is connected with the main power conductors 20 and the secondary power conductors 24, respectively. However, Fabian does not disclose network data conductors disposed in the enclosure.

Heberlein, Jr. discloses an electrical component system 10 comprising main power conductors 20, secondary power conductors 22, and network data conductors (networked devices) 18. The network system 10 applies the secondary power to the network data conductors 18 in the event of an interruption or malfunction in the main power conductors 20. Heberlein, Jr. teaches that the networked devices 18 includes switchgear, motor controllers, motor starters, *circuit breakers*, logic controllers, monitoring stations, and so forth (see the paragraph [[0022],

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lines 8-14). Also, the secondary power conductors 22 can be AC or DC power (the paragraph [0028]).

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include networked devices as taught by Heberlein, Jr. to the electrical component system taught by Fabian because Heberlein, Jr. teaches that a circuit breaker is a type of networked devices.

5. Claims 5, 34, 35 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fabian et al and Heberlein, Jr. et al as applied to claims 1-4, 16-21, 29-33, 46-49, 54-58, 63 and 65 above, and further in view of Wu (US 6,447,340 B1).

Claims 5, 34, 35 and 64 recite a ground conductor and its engagement or disengagement depending of the positions.

While Fabian discloses the connector assembly 32 having an engageable contact set, Fabian does not disclose ground conductor.

Wu discloses an electrical connector 1 comprising a signal contact 30 and a ground contact 32 positioned nearer to a top end of a mating section 22 than an upper portion of the signal contact 30 such that when the electrical connector 1 is engaged with the complementary connector, the ground contacts 32 will engage with corresponding contacts of the complementary connector before the signal contacts 30, thereby ensuring a hot-plug capability of the electrical connector 1.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the connector assembly taught by Fabian such that it would have ground conductors as taught by Wu because the ground conductors would ensure a hot-plug capability of network data conductors during the service position of the component assembly.

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*Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent No. 4,236,189 by Yosida, US Patent Application Publication No. 2004/0121645 A1 by Postrel, US Patent Application Publication No. 2005/0057320 A1 by Brandt et al., US Patent No. 5,886,431 by Rutigliano and US Patent no. 6,607,394 B2 by Lindberg et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hae M. Hyeon whose telephone number is 571-272-2093. The examiner can normally be reached on Mon.-Fri. (8:30-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas C. Patel can be reached on (571) 272-2098. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hae M Hyeon  
Primary Examiner  
Art Unit 2839

hnh

hnh

Hae Moon Hyeon